

## **Rule 9004-2**

### **CAPTION -- PAPERS, GENERAL**

(a) All petitions, pleadings, motions, briefs, applications and orders tendered for filing shall contain on the first page a caption as in the Official Forms and in addition shall state in the title the name and designation of the party (e.g., Debtor, Creditor..., Plaintiff, Defendant, or the like) on whose behalf the paper is submitted, and a title descriptive of its contents.

(b) If demand for jury trial is contained within a pleading, the title of the pleading shall include the words "And Demand For Jury Trial" or the equivalent.

(c) If a pleading contains a prayer for injunctive relief pursuant to Fed. R. Bankr. P. 7065, the title of the pleadings shall include the words "Injunctive Relief Sought" or the equivalent.

(d) If a motion or pleading requests an emergency hearing, the title of the motion or pleading shall include the words "Emergency Hearing Requested" or the equivalent. Emergency hearings shall only be held where direct, immediate and substantial harm will occur to the interest of an entity in property, to the bankruptcy estate, or to the debtor's ability to reorganize if the parties are not able to obtain an immediate resolution of any dispute. An emergency motion will not be acted upon or set for an emergency hearing without completion and filing of a Certificate of Necessity of Request for Emergency Hearing in the form available from the Clerk's office setting forth sufficient facts justifying the need for an emergency hearing.

(e) If a filed pleading or other submission is in support of or opposition to a matter calendared for hearing, the hearing date and time shall be placed beneath the case number.

(f) A motion, application, or objection shall include a statement of the estimated total time required for hearing.

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## ***Notes of Advisory Committee***

### ***2004 Amendment***

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation.

### ***1997 Amendment***

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

Paragraph (a) of this rule formerly was Local Rule 2.02(b). Paragraphs (b) through (f) of this rule formerly were paragraphs (a) through (e) of Local Rule 2.03. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

### ***1995 Amendment***

Local Rule 2.03(c) has been amended to make clear that the Certificate of Necessity of Request for Emergency Hearing which must be filed in connection with an emergency motion must set forth sufficient facts to justify the need for an emergency hearing.

These amendments were effective on February 15, 1995.